

**A SUBSTITUTE ORDINANCE BY
FINANCE AND EXECUTIVE COMMITTEE**

AN ORDINANCE AUTHORIZING THE MAYOR, ON BEHALF OF THE DEPARTMENT OF FIRE AND RESCUE, TO GRANT A TEMPORARY CONSTRUCTION ENTRY EASEMENT AGREEMENT, TO THE ATLANTA INDEPENDENT SCHOOL SYSTEM, FOR THE PURPOSE OF RESTRUCTURING THE DRAINAGE BASIN AND PLUMBING ON AND NEAR FIRE STATION # 14, LOCATED AT 1203 LEE STREET AND AT FINCH ELEMENTARY SCHOOL, LOCATED AT 1114 AVON STREET ATLANTA, GEORGIA; TO WAIVE SECTION 2-1574 OF THE OFFICIAL CODE OF ORDINANCES OF THE CITY OF ATLANTA, GEORGIA; AND FOR OTHER PURPOSES.

WHEREAS, During the construction of Fire Station #14 ("Fire Station"), located at 1203 Lee Street Atlanta, Georgia, the drainage system was damaged, which causes severe flooding into the Fire Station, surrounding streets, and at the Finch Elementary School, located 1114 Avon Street Atlanta, Georgia, when it rains; and

WHEREAS, the Atlanta Independent School System ("School System") desires to restructure the drainage system at no cost to the City of Atlanta ("City") to alleviate the flooding (see attached survey as Exhibit "A"); and

WHEREAS, the School System requests that the City execute a temporary construction entry easement for the purpose of restructuring the drainage basin and plumbing on and near the property of Fire Station # 14 located at 1203 Lee Street and at Finch Elementary School, located at 1114 Avon Street Atlanta, Georgia; and

WHEREAS, Chief of the Department of Fire and Rescue recommends that the City execute a temporary construction entry easement to the School System for the purpose of restructuring the aforesaid drainage basin and plumbing.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY ORDAINS, as follows:

SECTION 1: That the Mayor is authorized to execute a temporary construction entry easement to the Atlanta Independent School System for the purpose of restructuring the drainage basin and plumbing on and near the property of Fire Station # 14 located at 1203 Lee Street and at Finch Elementary School located at 1114 Avon Street Atlanta, Georgia.

SECTION 2: That Section 2-1574 of the Official Code of Ordinances of the City of Atlanta is hereby waived due to the restructuring of the drainage basin and plumbing is being provided at no cost to the City.

SECTION 3: That the City Attorney is directed to prepare the appropriate instruments for execution by the Mayor.

SECTION 4: That the same instruments will not be binding on the City and the City will incur no obligation or liability under them until they have been executed by the Mayor, approved as to form by the City Attorney and delivered to the Atlanta Independent School System.

SECTION 5: All ordinances and parts of ordinances in conflict herewith are hereby waived for purposes of this Ordinance only, and only to the extent of the conflict.